IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital: the 16th day of September 2005
Bail application no.859 **of 2005**
Order on the bail application of accused

CRIMINAL SIDE

1. Ashe Ram @ Asha Ram S/o Tika Ram
   R/o Preet Vihar Colony
   Near Sonia Hotel
   P.S. Rudrapur
   District Udham Singh Nagar
2. Santosh Kumar S/o Sri Ramji Prasad
   R/o Village Punha, P.S. Rohae
   District Nalanda, Bihar
3. Surjeet Kumar @ Santosh
   S/o Sri Sarju Rai @ Saryug Yadav
   R/o Patanpura, P.S. Gaurichal, District Patna (Bihar)
   At present Village Sabbalpur
   P.S. Didargang
   District Patna (Bihar) … Applicants

Versus

State of Uttaranchal … Opposite Party

Arising out of Case Crime No. 5480 of 2005
Under Section 2/3 Gangster Act
P.S. Haldwani
District Nainital

By the court

Hon'ble B.C. Kandpal, J.

The applicants have applied for bail in case crime No. 5480 of 2005 under Section 2/3 Gangster Act, P.S. Haldwani, District Nainital.

Heard Smt. Pushpa Joshi, learned counsel for the applicants, learned A.G.A. and perused the record.

Learned counsel for the applicants has not pressed the bail application on behalf of applicants No. 2 and 3, namely, Santosh Kumar and Surjeet Kumar @ Santosh. The bail application on behalf of applicants No. 2 and 3 is accordingly rejected as not pressed.

As per the Gang Chart, it appears to me that the Gangster Act has been leveled against the applicant on the basis of a single case under Sections 420, 467, 468 and 471 of I.P.C. The applicant has got no other case in his credit except that one case which has been shown in the Gang Chart. The applicant is in jail since 29th May, 2005.

Having considered the period of detention of the applicant, I think, it would be just and proper to release the applicant on bail at this stage.

Let the applicant No.1, namely, Ashe Ram @ Asha Ram be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Special Judge, Gangster Act, Nainital.

A copy of the order be supplied to the applicant today on the payment of usual charges, if possible.

(B.C. Kandpal, J.)

20.09.2005
ASWAL